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REMARKS

Claims 10 and 14 have been amended, claims 3 and 4 have been canceled without prejudice or disclaimer, and the dependency of claims 5, 6, and 7 has been changed to claim 10 as a result of the cancellation of claims 3 and 4.

In the Action claims 3 and 4 were objected to on the basis of redundancy in view of the amendments previously made to claim 10. That objection has been overcome by the cancellation of claims 3 and 4.

All the claims in the application were rejected as anticipated by the Fischer et al. '178 patent. In that regard, independent claims 10 and 14 have each been amended to more clearly recite the structure of the invention. Specifically, those claims have been amended to recite the separability of the transmission housing from the housing that receives the toothed rack. That structural feature is neither shown in nor suggested by the Fischer et al. reference. Nor does the reference show or suggest the claimed feature as recited in each of claims 10 and 14 of the provision of the electric motor and gear as a preassembled unit that is removably connected with the first housing.

The Fischer et al. reference shows an actuator structure that includes a unitary housing component that receives and contains either a feed screw or a rack, as well as a transmission unit that includes interengaged gears. The portion of the housing that includes the transmission is integrally formed with the portion of the housing that includes the feed screw or rack, and the electric motor is carried by the housing.

Each of the Fischer et al. embodiments referred to by the examiner,

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those shown in Figures 13, 17a, and 21a, shows a unitary housing 1004, 1601, and 2201, respectively. In that regard, and with reference to the structure shown in Figure 13 the Fischer et al. reference discloses that the transmission is within housing 1004 (see Fischer et al., col. 28, line 37) and that the feed screw is also within housing 1004 (see Fischer et al., col. 29, lines 11 and 12). With reference to the structure shown in Figure 17a, the Fischer et al. reference again teaches that the transmission is within housing 1601 (see Fischer et al., col. 32, lines 33 through 36) and that toothed rack 1608 is also within housing 1601 (see Fischer et al., col. 32, lines 52 through 54). And with reference to the structure shown in Figure 21a of the Fischer et al. reference, the transmission is within housing 2201 (see Fischer et al., col. 37, lines 47 through 50) and the toothed rack is also within housing 2201 (see Fischer et al., col. 37, lines 54 and 55).

In order for a reference to anticipate an invention as claimed, each and every element of the claim must be found in that reference. Accordingly, each of independent claims 10 and 14 is patentably distinguishable over the Fischer et al. reference, both from an anticipation viewpoint as well as from an obviousness viewpoint because the reference neither shows nor suggests the structure as claimed in claims 10 and 14 as hereinabove amended.

Each of the other claims in the application depends from claim 10 or from claim 14, either directly or indirectly, and therefore the same distinctions as have been noted above with respect to amended claims 10 and 14 apply with equal effect to each of those dependent claims. Moreover, the dependent claims contain further recitations that in combination with the recitations of the

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independent claims define combinations of elements that are neither shown nor suggested in the reference relied upon.

Finally, in addition to the first and second housings, claim 14 also recites that one of the bearings that supports the toothed rack defines a stop for an energy accumulator within the first housing. The Fischer et al. reference neither teaches nor suggests such a structural arrangement, and therefore it does not anticipate the invention as claimed in claim 14.

Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form. Consequently, reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,



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